

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

**IN RE:
ANDRES MARTINEZ**

§ CASE NO. 19-31262-CGB

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***Debtor(s).* § Chapter 13**

**TRUSTEE'S MOTION TO ENTER DISCHARGE
AFTER COMPLETION OF PLAN PAYMENTS**

This pleading request relief that may be adverse to your interest.

**If no timely response is filed within 21 days from the date of services,
the relief requested herein may be granted without a hearing being held.**

A timely filed response is necessary for a hearing to be held.

To the Honorable Christopher G. Bradley, United States Bankruptcy Judge:

STUART C. COX, Standing Chapter 13 Trustee's (hereinafter "Trustee") Motion to Enter Discharge respectfully alleges:

1. Debtor has timely submitted a pre-discharge questionnaire, in the form specified by the Trustee pursuant to the First Joint Standing Order Relating to Chapter 13 Case Administration Under BAPCPA in the El Paso and Waco Divisions, Exhibit #4. The questionnaire is attached hereto for notice purposes. F.R.B.P. § 1007(b)(8).
2. Trustee moves the Court to enter the discharge pursuant to F.R.B.P. § 2002(f)(11), absent any timely request to delay the entry of the discharge. 11 U.S.C. § 1328(h).
3. There is no default Order attached as the court enters its own form of Order.

Relief Sought

Trustee prays this Court enter the discharge, after notice, and hearing if necessary. Trustee further prays that Trustee be granted such other and further relief as is just.

Respectfully submitted,

/s/Stuart C. Cox

Standing Chapter 13 Trustee

SBN: 00794992

Stuart@ch13elpaso.com

/s/Brandon L. Lettunich

Staff Attorney for Stuart C. Cox

SBN: 24041332

Blettunich@ch13elpaso.com

1760 N. Lee Trevino Drive

El Paso, TX 79936

(915) 598-6769 telephone

(915) 598-9002 facsimile

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Trustee's Motion to Enter Discharge after Completion of Plan Payments* was served upon the parties listed below [and to the parties on the attached service list] by United States Mail, first class, postage prepaid on August 28, 2024.

UNITED STATES TRUSTEE
P.O. BOX 1539
SAN ANTONIO, TX 78295-1539

ANDRES MARTINEZ
9300 MONTANA AVE. #2139
EL PASO, TX 79925

MARTINEZ LAW FIRM
ERIC MARTINEZ, ATTORNEY
EL PASO, TX 79925

/s/Stuart C. Cox

Stuart C. Cox

/s/Brandon L. Lettunich

Brandon L. Lettunich

MARTINEZ, ANDRES
9300 MONTANA AVE. #2139
EL PASO, TX 79925

99 SMILES
12244 MONTANA AVE, BLD A, S-400
EL PASO, TX 79938

ACIMA CREDIT LLC
9515 S. MONROE ST.
SUITE 400
SANDY, UT 84070

ALMA RODRIGUEZ
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P.O BOX 12548
AUSTIN, TX 78711

AMERICAN CREDIT ACCEPTANCE
961 EAST MAIN STREET
SPARTANBURG, SC 29302

ARLENE MARTINEZ
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EL PASO, TX 79936

ATLAS ACQUISITIONS
492C CEDAR LANE, STE. 442
TEANECK, NJ 07666

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SUP
C/O STRATOS L. APOSTOLOU
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AUSTIN, TX 78760

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VAN NUYS, CA 91411

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%AMERICAN INFOSOURCE LP
4515 N. SANTA FE
OKLAHOMA, OK 73118

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EL PASO, TX 79901

COMENITY CAPITAL
P.O. BOX 182120
COLUMBUS, OH 43218

CONVERGENT OUTSOURCING INC.
P. O. BOX 9004
RENTON, WA 98057

CREDIT ONE BANK
P.O. BOX 98872
LAS VEGAS, NV 89193

DISH NETWORK
P.O. BOX 94063
PALATINE, IL 60094

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P.O. BOX 551268
JACKSONVILLE, FL 32255

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5721 E. YANDELL
EL PASO, TX 79925

G.E.C.U.
P.O. BOX 20998
EL PASO, TX 79998

HARLEY DAVIDSON CREDIT
P.O. BOX 15129
PALATINE, IL 60055

HARVARD COLLECTION SERVICES
4839 N. ELSTON AVE.
CHICAGO, IL 60630-2534

I.C. SYSTEM, INC.
P.O. BOX 64378
ST. PAUL, MN 55164

INTERNAL REVENUE SERVICE
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300 E. 8TH STREET STOP 5022
AUSTIN, TX 78701

INTERNAL REVENUE SERVICE
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CENTRALIZED INSOLVENCY OFFICE
PHILADELPHIA, PA 19101-7346

ISLAND MED LOE LLC
% AMERIFINANCIAL SOLUTIONS
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BALTIMORE, MD 21264

KRISTEN KAPLER
%CHILD SUPPORT OFFICE
6302 IOLA AVE. #500
LUBBOCK, TX 79424

LVNV FUNDING, LLC
%RESURGENT CAPITAL SERVICES
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GREENVILLE, SC 29603-0587

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%PERITUS PORTFOLIO SERVICES
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KIRKLAND, WA 98083-0788

QUANTUM3 GROUP AGENT
CASCADE CAPITAL LLC
P.O. BOX 788
KIRKLAND, WA 98083-0788

SUN LOAN
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TEXAS WORKFORCE COMMISSION
%SPECIAL ACTION UNIT
101 E. 15TH ST., ROOM 556
AUSTIN, TX 78778-0001

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% AMERICAN INFOSOURCE AS AGENT
4515 SANTA FE AVE
OKLAHOMA CITY, OK 73188

U.S. ATTORNEY
601 N.W. LOOP 410 #600
SAN ANTONIO, TX 78216-5512

U.S. BANK NATIONAL ASSOCIATION
DBA ELAN FINANCIAL SERVICES
P.O BOX 108
ST. LOUIS, MO 63166-0108

Exhibit #4

**DEBTOR QUESTIONNAIRE UPON COMPLETION
OF PLAN PAYMENTS IN BANKRUPTCY CASE NO. 19-31262-CGB**

CIRCLE THE CORRECT ANSWERS:

1. YES / NO

I/We have completed an instructional course concerning personal financial management, as described in 11 U.S.C. § 111, provided by the following entity:

Stuart C. Cox, Chapter 13 Standing Trustee

1760 N. Lee Trevino

El Paso, TX 79936

2. YES / NO

I/We have received a discharge in a Chapter 7, 11 or 12 bankruptcy case that was filed within four years of the date I/we filed this bankruptcy case.

3. YES / NO

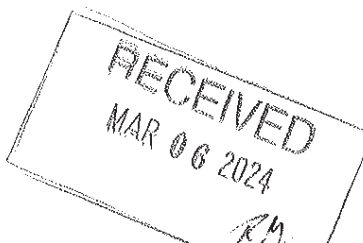
I/We have received a discharge in another Chapter 13 bankruptcy case within two years of the date I/we filed this bankruptcy case.

4. YES / NO

Did you elect to use State exemptions? If yes, then the following two questions must be answered.

a. YES / NO I/We had, either at the time of the filing of this bankruptcy case, or at the present time, equity in excess of \$189,050 (\$378,100 if married and filing this case jointly) in the type of property described in 11 U.S.C. § 522(p)(1). [generally, your homestead]

b. YES / NO There is currently pending any proceeding in which I [in an individual case] or either of us [in a joint case] may be found guilty of a felony [a felony is an offense punishable by a minimum term of imprisonment of more than one year] of the kind described in 11 U.S.C. § 522(q)(1)(A) [one where the circumstances of the felony demonstrated that the filing of this case was an abuse of the Bankruptcy Code] or liable for a debt of the kind described in 11 U.S.C. § 522(q)(1)(B) [violation of federal or state securities laws or regulations or orders issued thereunder; fraud, deceit or manipulation in a position of trust in connection with the purchase or sale of certain registered securities; civil remedies under the racketeering statute; or criminal acts, intentional civil injuries, or willful or reckless misconduct causing serious physical injury or death to another in the preceding five years].



5. a. ☒ YES ☐ NO *Am*
- I/We have been required by a judicial or administrative order or by statute to pay any domestic support obligation, as defined in 11 U.S.C. § 101(14A) [a debt owed to or recoverable by a spouse, former spouse, or child or the child's parent or legal guardian, or a government unit, for alimony, maintenance or support of those persons, that was established by a separation agreement, divorce decree, property settlement, or order of the court or, where applicable, a determination of a governmental unit] either before this bankruptcy case was filed, or at any time after the filing of this bankruptcy case.

IF THE ANSWER TO QUESTION 5a IS "YES," THEN ALL OF THE FOLLOWING QUESTIONS MUST BE COMPLETED/ANSWERED:

- b. ☒ YES ☐ NO *Am*
- I/We certify that, prior to the date of this Questionnaire, I/we have paid all amounts due under any domestic support obligation [as defined in 11 U.S.C. § 101(14A)] required by a judicial or administrative order or by statute, including amounts due before this bankruptcy case was filed, to the extent provided for by my/our Plan. The name and address of each holder of a domestic support obligation is as follows:

- 1) Alma Rodriguez - 0009809332011016368
- 2) Kristen G. Kopley - 0011875082090116051
- 3) Trish M. Caddell - 0010145206016632
PO Box 659791 San Antonio TX 78265

- c. My/Our most recent address is:

3650 Grand Bahamas El Paso TX 79936
9300 Montana Ave El Paso TX 79925 Apt 2139

- d. The name and address of my/our most recent employer(s) is:

Kindel Morgan, Inc
1601 Louisiana St S-100
Houston, TX 77002

- e. The following creditors hold a claim that is not discharged under 11 U.S.C. § 523(a)(2) or

(a) (4), or a claim that was reaffirmed under 11 U.S.C. § 524(c):

I/we acknowledge that all statements contained herein are true and accurate. The Court may rely on the truth of each of these statements in determining whether to grant me/us a discharge in this Chapter 13 bankruptcy case. The Court may revoke my discharge if the statements herein are not accurate.

I/We declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on *March 5*, 202*4*.

Andres Martinez
Debtor

Aly M. B.
Debtor